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February 24, 2015

File 7715-G

VIA EMAIL

Hon. Douglas E. Arpert, United States Magistrate Judge  
United States District Court  
Clarkson S. Fisher Building & U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

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FEB 24 2015

DOUGLAS E. ARPERT  
U.S. MAGISTRATE JUDGE

Re: Hana Modz, LLC v. Gorilla Vapes, LLC et al.  
3:14-CV-08125-MAS-DEA

Dear Judge Arpert:

This firm is presently representing defendant Gorilla Vapes, LLC in this matter. An initial conference has been scheduled with the Court for April 2, 2015 at 11:00 AM. We are writing to request that the Court relax the schedule in this matter for a period of thirty (30) days to permit our client to obtain new counsel in this matter.

Gorilla Vapes, LLC is owned by Russ Jurczyk, a longtime client of the firm for whom we have done work over the years. The firm filed an answer on behalf of Gorilla Vapes, LLC to preserve its rights and with the hope of obtaining a quick resolution to the matter. On February 4, 2015, the undersigned wrote to Brian Hennessy, Esq., suggesting settlement terms. Mr. Hennessy is one of at least four attorneys representing the plaintiff, two of whom are members of the California bar who have been admitted pro hoc vice for this case. We did not receive any response until yesterday, February 23, 2015. Unfortunately our settlement offer has apparently been declined and it appears that the plaintiff intends to move forward with the litigation. After we received the response to our letter yesterday we were in a position to consult with our client about his intentions going forward. He has now concluded that due to the complex and highly specialized nature of the plaintiff's claims, his interests will be best served by seeking other counsel with the necessary experience and expertise in trademark infringement. Accordingly, we

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AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH  
CLERK

respectfully request that the Court grant a thirty day adjournment of the conference so that the defendant may obtain new representation.

We reached out to the plaintiff's attorneys, Perkins Coie, yesterday afternoon by telephone and email to obtain consent to the 30 day extension. However, we were notified overnight via email that consent will not be forthcoming because the February 10, 2015 scheduling order requires the parties to hold their Rule 26(f) conference 14 days after the date of the order, or by today, February 24, 2015. We respectfully request that the deadline for the conference be extended so that it may be conducted by defendant's new counsel, who will be litigating the case based on its own unique trial strategy.

Respectfully submitted,

SUSAN E. DiMARIA

For the Firm

SED:sd

Cc: Michael Burshteyn, Esq. (via email)  
Gorilla Vapes, LLC

(\*) The initial conference will proceed as scheduled on April 2, 2015. The deadline to conduct the Rule 26(f) conference is extended to March 23, 2015.

Also  
See letter d. 2/24/15.